

TELEPHONE RESTRICTION SUMMARY

Restriction to one of the following inventions is required under 35 U.S.C. § 121:

i. Claims 1 – 9 and 14 – 20, drawn to composition, classified in class 525.

5 *ii.* Claims 10 – 12, drawn to process, classified in class 427, subclass 407.1.

iii. Claim 13, drawn to article, classified in class 428, subclass 423.1.

The inventions are distinct, each from the other because of the following reasons:

Inventions *i* and *ii* are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process
10 for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product (MPEP § 806.05(h)). In the instant case, the composition as claimed can be used in materially different process of using that composition: a process that coats only a single coat.

15 Inventions *ii* and *iii* are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the article as claimed can be made by another
20 and materially different process: a process that coats the first layer, completely cures it, then coats the second layer and completely cures it.

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Inventions *i* and *iii* are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because a coated article can be produced from another coating composition. The subcombination has separate utility such as a single layer coating.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

During a telephone conversation with Mr. Burton A. Amernick on 07 January 2002, a provisional election was made with traverse to prosecute the invention of group *i*, claims 1- 9 and 14 - 20.

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